

Docket No. R0042CON

JAN 23 2006

<p align="center"><b>Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):</b></p> <p>[ ] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> <p>[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Michael G. Mendoza at Facsimile No 571-273-8300.</p> <p>Dated: January 23, 2006</p> <p>Name of Person Certifying: <u>Guy Cumberbatch</u> Printed Name: Guy Cumberbatch</p> <p align="right"><i>15 pages</i></p>	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re Application of: Callas, et al. ) Group Art Unit: 3731  
 Application No.: 10/705,652 )  
 Filing Date: November 10, 2003 ) Examiner: Michael G. Mendoza  
 10 For: ENDOSCOPIC SURGICAL ACCESS PORT )  
 AND METHOD )  
 Mail Stop AF )  
 15 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

Dear Sir:

20 Transmitted herewith is an Amendment in thirteen (13) pages responsive to the FINAL Office Action dated November 2, 2005 in the above-identified application. Also attached are:

25 (X) Please charge the fees indicated below to the credit card on the attached 1 page authorization form:

	Claims Remaining After Amendment	Minus	(Col. 1) Highest Prev. Paid For	(Col. 2) Present Extra	(Col. 3) Rate	Fee
30 Total Claims	46	-	36	= 10 x	50 =	\$ 500
Indep Claims	7	-	6	= 1 x	200 =	\$ 200
				TOTAL DUE	=	\$ 700

Respectfully submitted,

35 Date: January 23, 2006

Guy Cumberbatch  
 Guy Cumberbatch, Reg. No. 36,114  
 (805) 201-3006  
 c/o Lena Vinitkaya, Reg. No. 39,448  
 3200 Lakeside Drive  
 Building B, 3<sup>rd</sup> Floor, M/S 314  
 Santa Clara, CA 95054  
 (408) 845-1978  
 (408) 845-3987 (facsimile)

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In re Application of: Callas, et al.

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Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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AMENDMENT

Dear Sir:

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Responsive to the FINAL Office Action dated November 2, 2005, please make the changes and note the remarks below:

Amendments to the Claims begin on page 2 of this paper.

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Remarks begin on page 13 of this paper.

01/24/2006 MBINAS 00000005 10705652

01 FC:1202

500.00 OP

02 FC:1201

200.00 OP